EXHIBIT E

Approved for use through 01/31/2025. OMB 0651-0055

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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Combined Declaration of Use and Incontestability under Sections 8 & 15

The table below presents the data as entered.

| Input Field | Entered | |
|---|---------------------------|--|
| REGISTRATION NUMBER | 5622245 | |
| REGISTRATION DATE | 12/04/2018 | |
| SERIAL NUMBER | 87886242 | |
| MARK SECTION | | |
| MARK | PROOV (see, mark) | |
| ATTORNEY INFORMATION (current) | | |
| NAME | Marie Dutton | |
| ATTORNEY BAR MEMBERSHIP NUMBER | XXX | |
| YEAR OF ADMISSION | XXXX | |
| U.S. STATE/ COMMONWEALTH/ TERRITORY | XX | |
| FIRM NAME | EmergeCounsel | |
| STREET | PO Box 13677 | |
| CITY | Denver | |
| STATE | Colorado | |
| POSTAL CODE | 80201 | |
| COUNTRY/REGION/JURISDICTION/U.S. TERRITORY | United States | |
| PHONE | 720-924-8191 | |
| EMAIL | mdutton@emergecounsel.com | |
| ATTORNEY INFORMATION (proposed) | | |
| NAME | Marie Dutton | |
| ATTORNEY BAR MEMBERSHIP NUMBER | XXX | |
| YEAR OF ADMISSION | XXXX | |
| U.S. STATE/ COMMONWEALTH/ TERRITORY | XX | |
| FIRM NAME | EmergeCounsel | |
| STREET | PO Box 13677 | |
| СІТУ | Denver | |
| STATE | Colorado | |
| POSTAL CODE | 80201 | |
| COUNTRY/REGION/JURISDICTION/U.S. TERRITORY | United States | |
| PHONE | 720-924-8191 | |

| EMAIL | mdutton@emergecounsel.com |
|---|--|
| OTHER APPOINTED ATTORNEY | Steven Weigler |
| CORRESPONDENCE INFORMATION | |
| NAME | Marie Dutton |
| PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE | mdutton@emergecounsel.com |
| SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES) | tmdocket@emergecounsel.com; sweigler@emergecounsel.com |
| GOODS AND/OR SERVICES SECTION | |
| INTERNATIONAL CLASS | 005 |
| GOODS OR SERVICES | Chemical preparations for pharmaceutical or medical purposes, namely, for determining progesterone production; Chemical preparations for pharmaceutical or medical purposes, namely, for testing fertility; Chemical preparations for pharmaceutical or medical purposes, namely, for evaluating urine; Ovulation test kits; In-vitro ovulation prediction test kit for home use |
| SPECIMEN FILE NAME(S) | \\\TICRS\EXPORT18\IMAGEOUT 18\878\862\87886242\xml4\\\8150002.jpg |
| | \\\TICRS\EXPORT18\IMAGEOUT 18\878\862\87886242\xml4\\ 8150003.jpg |
| | \\\TICRS\EXPORT18\IMAGEOUT 18\878\862\87886242\xml4\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\ |
| | \\\TICRS\EXPORT18\IMAGEOUT 18\878\862\87886242\xml4\\\8150005.jpg |
| | \\\TICRS\EXPORT18\IMAGEOUT 18\878\862\87886242\xml4\\ 8150006.jpg |
| SPECIMEN DESCRIPTION | Screenshots from Registrant's website showing use of the mark on the packaged goods, in connection with the goods, and the means for purchase. |
| WEBPAGE URL | https://proovtest.com/collections/shop-all?_gl=1*sumsj9*_up*MQ*_gs*MQ |
| WEBPAGE DATE OF ACCESS | 11/26/2024 |
| WEBPAGE URL | https://proovtest.com/products/complete-testing-system?_gl=1*1ikk4t8*_up*MQ*_gs*MQ |
| WEBPAGE DATE OF ACCESS | 11/26/2024 |
| OWNER SECTION (current) | |
| NAME | MFB Fertility, Inc. |
| MAILING ADDRESS | 720 Austin Ave Suite 100-305 |
| CITY | Erie |
| STATE | Colorado |
| ZIP/POSTAL CODE | 80516 |
| COUNTRY/REGION/JURISDICTION/U.S. TERRITORY | United States |
| EMAIL | XXXX |
| OWNER SECTION (proposed) | |
| NAME | MFB Fertility, Inc. |

| MAILING ADDRESS | 720 Austin Ave Suite 100-305 | |
|---|--|--|
| CITY | Erie | |
| STATE | Colorado | |
| ZIP/POSTAL CODE | 80516 | |
| COUNTRY/REGION/JURISDICTION/U.S. TERRITORY | United States | |
| EMAIL | XXXX | |
| OWNER DOMICILE ADDRESS(NEW) | | |
| *ADDRESS | XXXX | |
| *CITY | XXXX | |
| *STATE (Required for U.S. applicants) | XXXX | |
| *COUNTRY/REGION/JURISDICTION/U.S. TERRITORY | XXXX | |
| *ZIP/POSTAL CODE (Required for U.S. and certain international addresses) | XXXX | |
| LEGAL ENTITY SECTION (current) | | |
| ТҮРЕ | corporation | |
| STATE/COUNTRY/REGION/JURISDICTION/U.S. TERRITORY OF INCORPORATION | Colorado | |
| PAYMENT SECTION | | |
| NUMBER OF CLASSES | 1 | |
| NUMBER OF CLASSES PAID | 1 | |
| COMBINED §§ 8 & 15 FILING FEE PER CLASS | 425 | |
| TOTAL FEE PAID | 425 | |
| SIGNATURE SECTION | | |
| SIGNATURE | /Marie Dutton/ | |
| SIGNATORY'S NAME | Marie Dutton | |
| SIGNATORY'S POSITION | Attorney of record | |
| DATE SIGNED | 11/26/2024 | |
| SIGNATORY'S PHONE NUMBER | 720-924-8191 | |
| SIGNATURE METHOD | Sent to third party for signature | |
| PAYMENT METHOD | CC | |
| FILING INFORMATION | | |
| SUBMIT DATE | Tue Nov 26 15:06:58 ET 2024 | |
| TEAS STAMP | USPTO/S08N15-XXXX:XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX | |

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PTO- 1583

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Combined Declaration of Use and Incontestability under Sections 8 & 15

To the Commissioner for Trademarks:

REGISTRATION NUMBER: 5622245 **REGISTRATION DATE:** 12/04/2018

MARK: PROOV

Current: The owner, MFB Fertility, Inc., a corporation of Colorado, having an address of

720 Austin Ave Suite 100-305

Erie, Colorado 80516

United States

XXXX

Proposed: The owner, MFB Fertility, Inc., a corporation of Colorado, having an address of

720 Austin Ave Suite 100-305

Erie, Colorado 80516

United States

XXXX

and a domicile address of

XXXX

XXXX, XXXX XXXX

XXXX

is filing a Combined Declaration of Use and Incontestability under Sections 8 & 15.

For International Class 005, the mark is in use in commerce on or in connection with **all** of the goods/**all** of the services, or to indicate membership in the collective membership organization, listed in the existing registration for this specific class: Chemical preparations for pharmaceutical or medical purposes, namely, for determining progesterone production; Chemical preparations for pharmaceutical or medical purposes, namely, for testing fertility; Chemical preparations for pharmaceutical or medical purposes, namely, for evaluating urine; Ovulation test kits; In-vitro ovulation prediction test kit for home use; **and** the mark has been continuously used in commerce for five (5) consecutive years after the date of registration, or the date of publication under Section 12(c), and is still in use in commerce on or in connection with **all** goods/**all** services, or to indicate membership in the collective membership organization, listed in the existing registration for this class. Also, no final decision adverse to the owner's claim of ownership of such mark for those goods/services, or to indicate membership in the collective membership organization, exists, or to the owner's right to register the same or to keep the same on the register; and, no proceeding involving said rights pending and not disposed of in either the U.S. Patent and Trademark Office or the courts exists.

The owner is submitting one(or more) specimen(s) for this class showing the mark as used in commerce on or in connection with any item in this class, consisting of a(n) Screenshots from Registrant's website showing use of the mark on the packaged goods, in connection with the goods, and the means for purchase..

Specimen File1

Specimen File2

Specimen File3

Specimen File4

Specimen File5

Webpage URL: https://proovtest.com/collections/shop-all?_gl=1*sumsj9*_up*MQ..*_gs*MQ..

Webpage Date of Access: 11/26/2024

Webpage URL: https://proovtest.com/products/complete-testing-system? gl=1*1ikk4t8* up*MQ..* gs*MQ..

Webpage Date of Access: 11/26/2024

The owner's/holder's current attorney information: Marie Dutton. Marie Dutton of EmergeCounsel, is a member of the XX bar, admitted to the bar in XXXX, bar membership no. XXX, is located at

PO Box 13677

Case: 1:23-cv-03854 Document #: 53-5 Filed: 05/07/25 Page 7 of 13 PageID #:670

Denver, Colorado 80201 United States

The phone number is 720-924-8191.

The email address is mdutton@emergecounsel.com

Marie Dutton submitted the following statement: The attorney of record is an active member in good standing of the bar of the highest court of a U.S. state, the District of Columbia, or any U.S. Commonwealth or territory.

The owner's/holder's proposed attorney information: Marie Dutton. Other appointed attorneys are Steven Weigler. Marie Dutton of EmergeCounsel, is a member of the XX bar, admitted to the bar in XXXX, bar membership no. XXX, and the attorney(s) is located at

PO Box 13677 Denver, Colorado 80201 United States

The phone number is 720-924-8191.

The email address is mdutton@emergecounsel.com

Marie Dutton submitted the following statement: The attorney of record is an active member in good standing of the bar of the highest court of a U.S. state, the District of Columbia, or any U.S. Commonwealth or territory.

Correspondence Information

Marie Dutton

PRIMARY EMAIL FOR CORRESPONDENCE: mdutton@emergecounsel.com SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES): tmdocket@emergecounsel.com; sweigler@emergecounsel.com

Requirement for Email and Electronic Filing: I understand that a valid email address must be maintained by the owner/holder and the owner's/holder's attorney, if appointed, and that all official trademark correspondence must be submitted via the Trademark Electronic Application System (TEAS).

A fee payment in the amount of \$425 will be submitted with the form, representing payment for 1 class(es), plus any additional grace period fee, if necessary.

Declaration

| | 2 vini wivi |
|--------------|---|
| \checkmark | Unless the owner has specifically claimed excusable nonuse, the mark is in use in commerce on or in connection with the goods/services or to indicate membership in the collective membership organization identified above, as evidenced by the attached specimen(s). |
| \checkmark | Unless the owner has specifically claimed excusable nonuse, the specimen(s) shows the mark as currently used in commerce on or in connection with the goods/services/collective membership organization. |
| \checkmark | The mark has been in continuous use in commerce for five consecutive years after the date of registration, or the date of publication under 15 U.S.C. § 1062(c), and is still in use in commerce on or in connection with all goods/services, or to indicate membership in the collective membership organization, listed in the existing registration. |
| \checkmark | There has been no final decision adverse to the owner's claim of ownership of such mark for such goods/services, or to indicate membership in the collective membership organization, or to the owner's right to register the same or to keep the same on the register. |
| / | There is no proceeding involving said rights pending and not finally disposed of either in the United States Patent and Trademark Office or in a court. |
| / | To the best of the signatory's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, the allegations and other factual contentions made above have evidentiary support. |
| V | The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § |

1001, and that such willful false statements and the like may jeopardize the validity of this submission and the registration, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Signature: /Marie Dutton/ Date: 11/26/2024

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Signatory's Name: Marie Dutton Signatory's Position: Attorney of record Signatory's Phone: 720-924-8191

Signature method: Sent to third party for signature

Mailing Address (current):

EmergeCounsel PO Box 13677 Denver, Colorado 80201

Mailing Address (proposed):

EmergeCounsel PO Box 13677 Denver, Colorado 80201

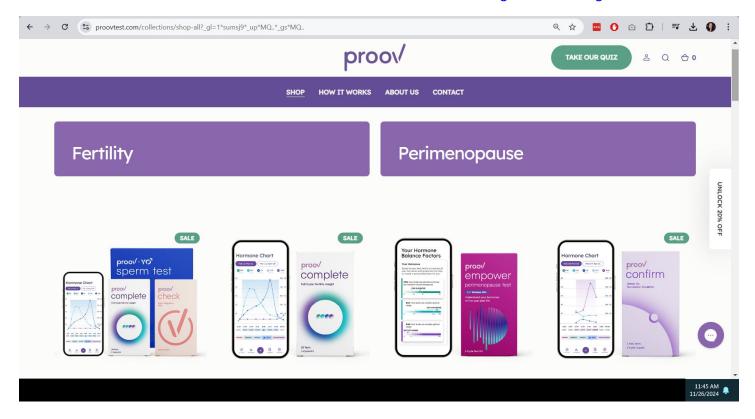
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Internet Transmission Date: Tue Nov 26 15:06:58 ET 2024

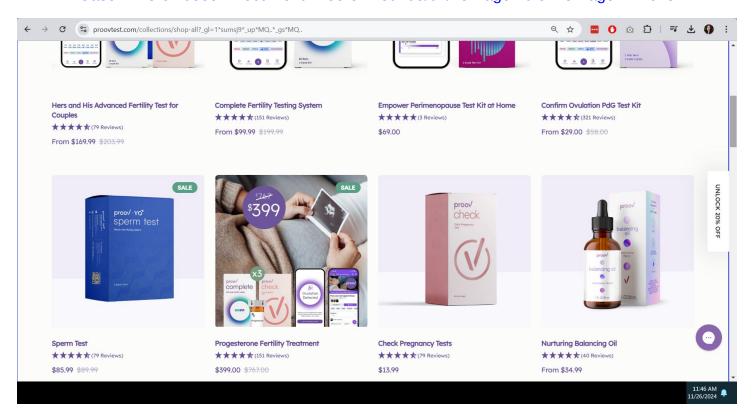
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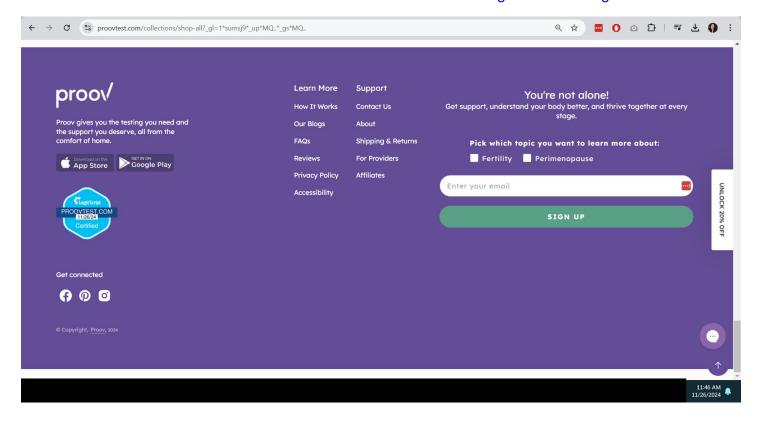
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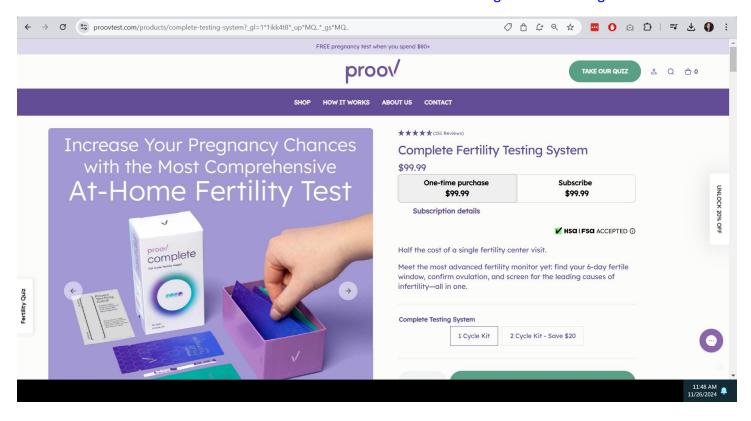
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